

Prepared By:	Return To:
Kelly E. McCarthy #102732 Morton & Germany, PLLC 45 North Third Street, Suite 201 Memphis, TN 38103 Phone: (901) 522-0050 09-098G	Kelly E. McCarthy #102732 *Morton & Germany, PLLC 45 North Third Street, Suite 201 Memphis, TN 38103 Phone: (901) 522-0050 09-098G

GRANTOR:	GRANTEE:
Kelly E. McCarthy #102732 Morton & Germany, PLLC 45 North Third Street, Suite 201 Memphis, TN 38103 Phone: (901) 522-0050	IBERIABANK <i>fsb</i> c/o Vince Orgeron 5800 "R" Street Little Rock, AR 72207 Phone: (501) 661-7700

**INDEXING INSTRUCTIONS:** Lot 1, Section "A", Midway Commercial Subdivision in Sections 27 and 28, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 49, Page 3, in the Office of the Chancery Court Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of the property.

### SUBSTITUTED TRUSTEE'S DEED

WHEREAS, Lincoln Square Group, LLC, as Grantor, executed that certain Deed of Trust to Sam P. McClatchy, Jr., Trustee, for the benefit of IBERIABANK *fsb* formerly known as Pulaski Bank and Trust Company ("IBERIABANK *fsb*"), as Beneficiary, bearing the date of August 29, 2006, which was recorded in Deed of Trust Book 2558, at Page 619, et seq., on

September 7, 2006, of the land records in the Office of the Chancery Clerk of DeSoto County, located in Hernando, Mississippi ("Deed of Trust"); and

WHEREAS, IBERIABANK *fsb* has heretofore substituted the undersigned Kelly E. McCarthy as Trustee in the place and in lieu of the original trustee named in said Deed of Trust by instrument dated January 4, 2010 and recorded in said office at Book 3124, Page 97 on January 11, 2010; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said Deed of Trust and the indebtedness secured thereby, IBERIABANK *fsb*, having requested the undersigned Substituted Trustee to execute the trust and to sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, Trustee's fees and expenses of sale; and

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi did advertise said sale in The DeSoto Times Tribune, a newspaper of general circulation published for more than one year next preceding the date of the first publication, in the County of DeSoto, State of Mississippi, on March 2, 9, 16, 23, 2010 as evidenced by the Proof of Publication (copy attached hereto as Exhibit "A"); and by posting on the 1st day of March, 2010, a copy of the Substituted Trustee's Notice of Sale (copy attached hereto as Exhibit "B") on the bulletin board in the DeSoto County Chancery Courthouse Building, 2535 Hwy 51 South, Hernando, Mississippi; and

WHEREAS, on the 29th day of March, 2010 at the East front door of the DeSoto County Chancery Courthouse Building, DeSoto County, State of Mississippi, at Hernando, between the

hours of 11:00 A.M. and 4:00 P.M., I the undersigned Substituted Trustee, did offer for sale at public outcry and did sell to the highest and best bidder for cash the following described land and property situated in DeSoto County, State of Mississippi, to-wit:

Lot 1, Section "A", Midway Commercial Subdivision in Sections 27 and 28, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 49, Page 3, in the Office of the Chancery Court Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of the property.

Property Address commonly known as: 1.1 Acres, Goodman Road, Horn Lake, MS

Parcel No. 1088-2805.0-00001.00

and

WHEREAS, the undersigned Substituted Trustee offered the aforesaid property for sale at public outcry as set forth above, and there appeared at said sale IBERIABANK *fsb*, bidding the sum of One Hundred Thousand Dollars and 00/100 (\$100,000.00) for all the above described property; said property was struck off to IBERIABANK *fsb*, for said amount, and said bidder was declared the purchaser thereof, as the highest and best bidder for cash.

NOW, THEREFORE, in consideration of the premises and the sum of One Hundred Thousand Dollars and 00/100 (\$100,000.00) cash in hand paid, the receipt of which is hereby acknowledged, I do hereby sell, quit-claim and convey to IBERIABANK *fsb* in fee simple, all of the above described property, conveying only such title as vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 29<sup>th</sup> day of March, 2010.

  
KELLY E. MCCARTHY  
Substituted Trustee

STATE OF Tennessee  
COUNTY OF Shelby

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 29<sup>th</sup> day of March, 2010 within my jurisdiction, the within named KELLY E. MCCARTHY, Substituted Trustee, duly identified before me, who acknowledged that in such representative capacity she executed the above and foregoing Substituted Trustee's Deed as her own free and voluntary act and deed, after first having been authorized so to do.

WITNESS my hand and Notarial Seal at office this 29<sup>th</sup> day of March, 2010.

Stephanie L. Canada  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



# DESOTO TIMES-TRIBUNE

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Diane Smith** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

Volume No. 115 on the 2 day of Mar., 2010

Volume No. 115 on the 9 day of Mar., 2010

Volume No. 115 on the 16 day of Mar., 2010

Volume No. 115 on the 23 day of Mar., 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

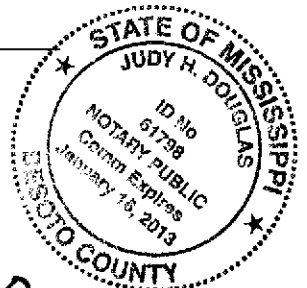
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Diane Smith

Sworn to and subscribed before me, this 23 day of Mar., 2010

BY Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2013  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

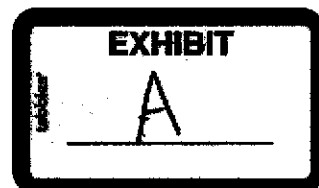


A. Single first insertion of 506 words @ .12 \$ 60.72

B. 3 subsequent insertions of 1518 words @ .10 \$ 151.80

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 215.52



**SUBSTITUTED TRUSTEE'S NOTICE OF SALE**

WHEREAS, Lincoln Square Group, LLC, as Grantor, executed that certain Deed of Trust to Sam P. McClatchy, Jr., Trustee, for the benefit of IBERIABANK fsb formerly known as Pulaski Bank and Trust Company (IBERIA BANK fsb), as Beneficiary, bearing the date of August 29, 2006, which was recorded in Deeds of Trust Book 2556, at Page 819, et seq., on September 7, 2006, of the land records in the Office of the Chancery Clerk of DeSoto County, located in Hernando, Mississippi ("Deed of Trust"); and

WHEREAS, IBERIABANK fsb has heretofore substituted the undersigned, Kelly E. McCarthy as Trustee in the place and in lieu of the original trustee named in said Deed of Trust by instrument dated January 4, 2010 and recorded in said office, at Book 3124, Page 97, on January 11, 2010; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said Deed of Trust and the indebtedness secured thereby, IBERIABANK fsb having requested, the undersigned, Substituted Trustee to enforce the trust and to sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, Trustee's fees and expenses of sale;

NOW THEREFORE, I, Kelly E. McCarthy, Substituted Trustee under said Deed of Trust, will, on Tuesday, March 23, 2010, offer for sale at public outcry and sell without reserve (bidding between the hours of 1:00 a.m. and 4:00 p.m.) at the east front door of the DeSoto County Courthouse Building, located at 2538 Hwy. 51 S., Hernando, Mississippi, to the highest and best bidder for cash the following described land and property situated in DeSoto County, State of Mississippi, to-wit:

Lot 1, Section "A", Midway Commercial Subdivision in Sections 27 and 28, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 49, Page 3, in the Office of the Chancery Court Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of the property;

Property Address commonly known as: 1.1 Acres, Goodman Road, Horn Lake, MS

Parcel No. 1088-2805.0-00001.00.

Other interested parties:

Phil Elizondo

Denise Elizondo

Sale is made subject to prior liens, encumbrances or trust deeds, if any, now of record in the office of the Chancery Clerk, DeSoto County, Mississippi and any lien for any unpaid City or County property taxes. Sale is further subject to all easements and restrictive covenants of record.

I will convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 1st day of March, 2010.

/s/ Kelly E. McCarthy

KELLY E. MCCARTHY

Substituted Trustee

MORTON & GERMANY, PLLC

45 North Third Street, Suite 201

Memphis, TN 38103

Telephone: (901) 522-0050

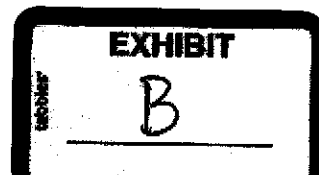
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NOW, THEREFORE, I, Kelly E. McCarthy, Substituted Trustee under said Deed of Trust will, on Tuesday, March 29, 2010, offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the east front door of the DeSoto County Courthouse Building located at 2535 Hwy. 51 S. Hernando, Mississippi, to the highest and best bidder for cash the following described land and property situated in DeSoto County, State of Mississippi, to-wit:



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I will convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 1st day of March, 2010.

  
KELLY E. MCCARTHY  
Substituted Trustee

MORTON & GERMANY, PLLC  
45 North Third Street, Suite 201  
Memphis, TN 38103  
Telephone: (901) 522-0050  
09-098G

**PUBLISH: March 2, 9, 16, 23, 2010**